

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

**Monday, January 9, 2023**

**MINUTES OF PROCEEDINGS IN Open Court**

**PRESENT: THE HONORABLE Roderick C. Young, USDJ**

**Courtroom Deputy: Julie Jones**

**Law Clerk: Kimberly Quick**

**Reporter: Tracy Stroh, OCR**

<b>Set: 9:15 a.m.</b>	<b>Started: 9:09 a.m.</b>	<b>Ended: 5:17 p.m.</b>
<b>2:21cv169 Nazario</b> <b>v.</b> <b>Gutierrez, et al. (Day 1)</b>		
<b>Appearances:</b> <u>Plaintiff:</u> Jonathan Arthur and Thomas Roberts appeared on behalf of plaintiff. Plaintiff present.  <u>Defendants:</u> Jessica Swauger and Coreen Silverman appeared on behalf of defendant Gutierrez. Anne Lahren, Richard Matthews and Bob Samuel appeared on behalf of defendant Crocker. Defendants present.		
Matter came on for trial by jury.		
Out of the presence of jurors, court took bench to deal with administrative matters. Counsel heard regarding issues stated on the record. Counsel for defendant Crocker made oral motion for gag order. Court deferred ruling and advised counsel that it may have counsel brief the issue overnight. Court ruled on other matters as stated on the record.		
Jurors (1 Panel of 19 jurors and 1 panel of 27 jurors) appeared as summoned, sworn, and examined on voir dire. Jurors not serving, excused. Jurors that were selected from both panels were directed by court to return at 1:30 p.m.		
Out of the presence of jury, court heard counsel regarding administrative matters. Counsel for defendant Gutierrez made motion to sequester witnesses. Court GRANTED motion. Plaintiff's oral motion to allow one of their expert witnesses to remain in courtroom - GRANTED. The court directed that show cause orders be issued for jurors that did not appear (jurors #37 and #60). Court to make decision regarding juror #35 after review of documentation submitted by juror.		
From two panels came a jury (9) who were duly sworn. Court read preliminary instructions.		
Opening statements of counsel heard.		
Plaintiff began presentation of evidence. Objections argued and rulings made.		
Court inquired of counsel regarding defense motion for gag order. Counsel heard. Court advised counsel it would not order briefing on the matter.		
The court excused the jury until 9:15 a.m. on 1/10/2023. Counsel excused until 8:45 a.m. on 1/10/2023.		
Lunch: 12:01 p.m. – 1:39 p.m.		